

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTEGRATED HEALTH SERVICES OF )  
CLIFF MANOR, INC., INTEGRATED )  
HEALTH SERVICES AT RIVERBEND, ) Civil Action No. 04-910 (GLS)  
INTEGRATED HEALTH SERVICES AT )  
SOMERSET VALLEY, INC., ALPINE )  
MANOR, INC., BRIARCLIFF NURSING )  
HOME, INC., SPRING CREEK OF IHS, INC., )  
FIRELANDS OF IHS, INC., ELM CREEK OF )  
IHS, INC., and IHS LONG TERM CARE )  
SERVICES, INC., )  
)  
Plaintiffs, )  
)  
v. )  
)  
THCI COMPANY LLC, )  
)  
Defendant, )  
)  
v. )  
)  
ABE BRIARWOOD CORPORATION and )  
JOHN DOES 1-10, )  
)  
Additional Counterclaim )  
Defendants, )  
)

**PLAINTIFFS' RENEWED MOTION FOR  
PARTIAL SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

Heretofore on May 31, 2005 at Docket No. 70, plaintiffs, and in particular plaintiff IHS Long Term Care Services, Inc., moved (the “Motion”) pursuant to Fed.R.Civ.P. 56, for an order granting partial summary judgment in favor of the plaintiffs and against the defendant. The Motion was based upon and supported by the Plaintiffs’ Memorandum of Law in Support of Motion for Partial Summary Judgment (Docket No. 71), and the Declaration of Amos Alter in

Support of Partial Summary Judgment Motion and the exhibits attached thereto (Docket No. 72; Exhibit "E" supplied under Docket No. 74).

Defendant opposed the Motion, and crossmoved for partial summary judgment (the "Crossmotion") in its favor, by Brief, with exhibits annexed (Docket No. 75). Plaintiffs responded with a Reply Brief on the Motion (Docket No. 76) and a Reply Declaration in Support of Partial Summary Judgment Motion (Docket No. 77), and defendant responded with a Reply Brief on the Crossmotion (Docket No. 78).

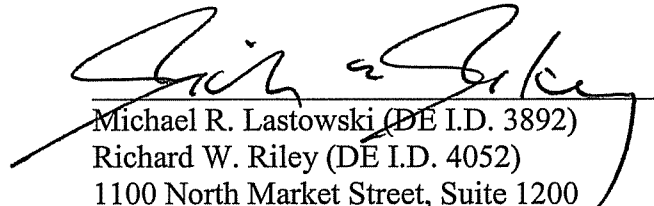
The Motion and Crossmotion were both withdrawn without prejudice to re-filing, by so-ordered stipulation of the parties (Docket No. 147).

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Plaintiffs, and in particular, plaintiff IHS Long Term Care Services, Inc., by and through undersigned counsel, hereby renew the Motion (Docket No. 70), based on and supported by the documents supporting the original Motion (Docket Nos. 71, 72, 74, 76 and 77), which are all incorporated herein by reference as though fully set forth at length.

DATED: April 12, 2006

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Counterclaim Defendant Abe Briarwood Corp. and  
non-parties Leonard Grunstein and Rubin Schron*